

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WASHINGTON ENERGY CO.,)
Plaintiff,) Civil Action No. 04-1451
v.) Chief Judge Donetta W. Ambrose
CENTURY SURETY CO.,) Magistrate Judge Lisa Pupo Lenihan
Defendant.) Doc. Nos. 13, 14

MEMORANDUM ORDER

Plaintiff's complaint was received by the Clerk of Court on September 21, 2004, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates on September 24, 2004.

The magistrate judge's report and recommendation, filed on December 2, 2005, recommended that Plaintiff's Motion for Summary Judgment be granted, Defendant's Motion for Summary Judgment be denied, and Judgment entered in favor of Plaintiff. Service was made on counsel for all parties. No objections to the report and recommendation were filed. After review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

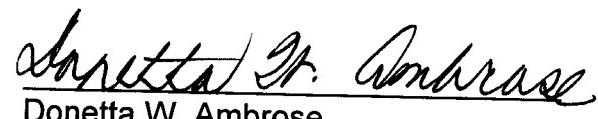
AND NOW, this 20th day of December, 2005,

IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment (Doc. No. 14) is GRANTED.

IT IS FURTHER ORDERED that Defendant's Motion for Summary (Doc. No. 13) Judgment is DENIED.

The report and recommendation of Magistrate Judge Lenihan, dated December 2, 2005, is adopted as the opinion of the Court.

IT IS FURTHER ORDERED that judgment be entered in favor of Plaintiff and against Defendant, and the case mark closed.


Donetta W. Ambrose
Chief United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

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